G. R. S. 58]

Previous references.

~~191~~ . 96

(L. R.)

Later references.

File No. 3060f96

Serial Nos. 1—14

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—14

Part B for 96

SUBJECT.

Correction of wet assessment on
of Kasaramhally, Chittaldurg Tq
Survey and Settlement into duty

counter-marked
HBB

W D 1551—GPP—50,000—12-12-15

Sanctioned
HBB

14

Before the Government of *His Highness* the Maharaja of Mysore.

Section R R

File No 21 1887

Serial No 1

Petition ~~Appeal~~ No. 2549 of 1887-88

Appellant. Vs. Respondent.

Uppara Ranga Puttiranja

Notice served on Appt. Respondent & his son are dead - Notice served on Gangappa Respondent's nephew.

9-7-96 Petition.

9-7-96

Ranga appt in person & presented an application Appt. Ranga in person Bail agreed - Recog Bail & attachment ordered to be cancelled

2

Petition No 2549 of 1887-88.

Petitioner
Appa Raiyar

Counter Petitioner
Patti Raiyar.

Dispute regarding the right to irrigate the land in Survey No 71 of Kuvarapalli by a channel in Survey No 55 of the same village.

List of papers in English.

(1) Appeal petition
(2) Office Memo
(3) By Commissioner
(4) Sketch
(5) Memo.

Get the civil record & the adangal

9/6/96

Examine
Appeal
Plan obs 1 copy

Record of the civil suit with the civil Ref No 2 & 3 of 1 from the Dt Judge is submitted.

Extract from the Assistant Patta in regards the land in question, Survey No 71, is produced with the appeal petition for perusal.

a. 8.

"Werea Creek No 7 is 24 chains in length and the land above comes from the Valley (Channel) of the Hutt Survey No 5 96."

The Water Supply rights to the land above No 7 — 25 1/2 Acres belong to Section 8 as follows:—

"8 Begyn 1 & 3-4 of Section 8

There is a well on this section of water which is used for the land & not for any other. Besides this, an area of land adjoins which adjoins No 5 & 6 and water flows over (to the land) through a Valley (Channel) The Hutt Water will be in use on the 2nd of January & the Channel will be in action till the end of December"

The information given in respect of Survey No 7 is thus set forth — Application as given in respect of No 55. That the Channel from the Valley referred to in both cases to the Surveyor, after personal inspection thereof as follows in his report dated 20.6.87:— "There is applied for land (No 55) of Valley for flow of water — Excepting that there is no other place (from where water could be taken). If permission should be made in another place, a [illegible] to the Hutt [illegible] is made at a distance of 200 or 300 — It seems just & allowable a Valley is [illegible] used from there (or from the place of diversion) Water to flow, in accordance with the terms of application" The notes appended & the plan accompanied the Surveyor's report are missing from the file.

"The Valley in dispute passes through the length, No 4 5 4 1/2 of Section 8 and No 55 and passes on Lands 6 and No 7 & contiguous thereto to a length of 10 1/2

Commencement of extension with the machinery and the result of the inspector reported. It is also significant that in the case of the W.P.S. land (No 55) it is stated that the water of the well does not go beyond that land whereas nothing is said about the channel water - the obvious inference is that it was going beyond - then boilers will be sent to the W.P.S. for a further inspection of the land & a detailed report on the points noticed above

9/11/96

No 71 The portion marked in red (B) below the course of the canal is alone old cop land - this is the indicated act cultivation made since the (illegible) are shewn in the plan. The communication may with this land might through this canal

Dear Sir,

I am

The measurement does not support the statement that the new approach channel in the W.P.S. land for taking water is what it is represented to be. If an increase in the intake is an important one as there would furnish good circumstantial evidence. The engineer should be asked whether his report in that fact that water is taken only in the deepest channel the whole of the W.P.S. land portion of the old canal would be unprofitable because he considers that only a portion is classed as irrigable the water of the shallow depth was taken directly with the corrections of these observations would be tested by an agent

Continued 5

The Dy Comm^r in forwarding the report of the General Asst Comm^r that, though the fact was clear that No 71 (the wet portion) received its water-supply from a channel passing through S. No 55 (belonging to C-pet^r), the enforcement of the Just- ment of pet^r would lead an insufficient supply to both the S Nos & also Sambhaji- fraction between pet^r & C-pet^r and that the wet portion Sh^d be assessed by the papers were Recommended forwarded to the Survey Supdt who [illegible] the Dy Comm^r as the water-supply from the channel to S No 71 is stated to be unavailable

If the wet-portion in S No 71 is to be assessed at dry rate the question arises as to from what year effect Sh^d be given to the proposed order.

It seems to be reasonable that the Collector should have effect from the year when petr makes any wet crop on the land. But as the asstt Commr points out in his report, the chances of securing a wet crop on S No 71 (wet portion) were always precarious even before C-petr prevented petr from using the water-supply from the channel

It is also a question whether D/- Asstt Commr pointed out in the proper order that the DY Commr was not justified in referring the petn to a civil Court for redress in a matter of this kind.

The final order (passed in a Copy put up matter relating to a tal chavadi in the Maddapur taluk) which was recently framed & circulated to DY Commr.

Submit to 2nd Council with draft order.

19/3/97

RD 24/3/97

(1)

Clean out up regd
file
13.7.
Submitted with reference
file
13/7

July 1896

Items required

J.
13/7/96

Section	L.R
File No	306 of 96
Serial No	1

1896

77

Name of Petitioner, Srappa son of Doddaya

Village, Bangalore.

Taluk,

District,

Date of Arzi, 9.7.96

Date of Receipt, 9.7.96

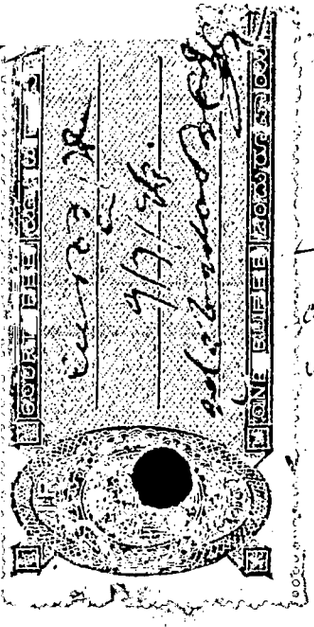
Date of Disposal,

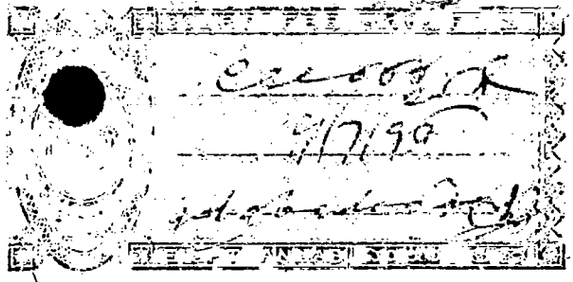
No. of Enclosure, 1

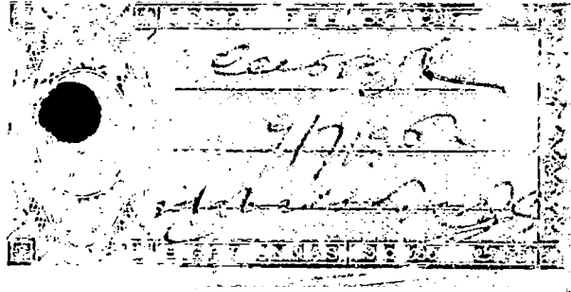
ABSTRACT. English letter

In reply to notice issued in Regd Appeal No 25 of 87-88 states that the respondent who died 7 years ago has left now surviving him 3 grandsons who are minors & who are his divided cousins; that the judgment in O.S. No 330 of 1887 on the file of the Chittaldroog Munsiff's Court hereunto produced shows that the appellant was decreed the right to water in his land from [illegible] of the minors; & that the appellant ought to have filed the appeal in the Chief Court instead of the Court of the Assistant Commissioner.

C.J.K.
13.7.96.







To
The Government of Mysore
Bangalore 3.7.96
Rev: appeal no 254 of 1887-88

Appellant
Uppar Kanya

Respondent
Puttaraya.

rappa, son of Doddanya and nephew of the late Puttaraya in reply to the notice issued from this Office begs to state as follows:—

1. That the respondent Puttaraya in this case died about 7 years ago. He had left a son Lingappa surviving him who also died about 4 years ago. This Lingappa has left 3 sons, all minors, viz Gooliraja, Doddiraja, & Eraja surviving him.

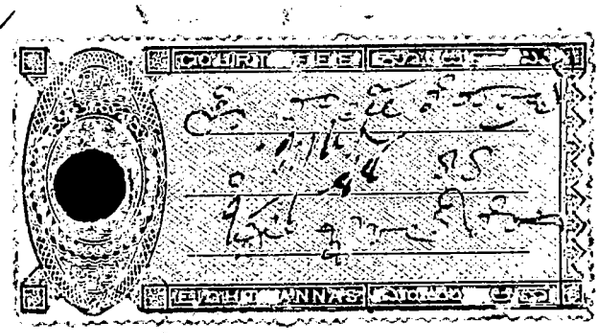
2. I am a kinsman of the minors. I do not know personally anything about the so called enjoyment by the appellant of the water from the well situated in the land of the minors. To my knowledge the appellant did not enjoy the right of taking any water this land. I produce an authenticated Co of the Judt in O.S. no 330/1887 on the file of the Munsiff of Chitaldrug in which the present appellant Kanya & the late Puttaraya and parties to obtain any relief with regard to this water dispute.

3. The appellant ought to have filed any

Appeal against the decree of the Munsiff of Nuttadom
to the Chief Court which he failed to do. Appt
has no right to take the matter as found by the
Civil Court. That after nearly a decade I am
unable to state anything further in this case
than what is to be found in the Judgt
of the Munsiff.

4. I pray that the Appts' petition may
therefore be dismissed. as per order dt 20th Aug

Bangalore
9th July 1896



Original Suit No. 330 of 1927

Court of the Principal
Court of Chettiars
Assistant Mr. M. Sivasankaralingam, Principal

Dated 5th September 1927.

Plaintiff — Defendant

Ayyathurai Chettiar, Ponnusamy Chettiar,

1. This suit is brought for the recovery of Plaintiff's right to the flow of water through the Defendant's land.

1st Mutt
B.V.

2. The Plaint is as follows:—

(1) The Plaintiff obtained by Purchase a certain land forming Survey No. 71 situated in Kodumudiyanur village, attached to Chettiarpalayam Salem.

(2) The land is watered by a River "Cauvery" passing through the Defendant land (Survey No. 65).

(3) When the Plaintiff tried to take water from the said "Cauvery", the Defendant objected to it.

4. Then the Plaintiff complained

Ord. No. 332 of 1887.

to the Eleven Hundredth of the Annuities of 6 Timiskaming Lands, which examining the said, decreed that the Plaintiff might take the said Township of "Dack" - But the Deputy Commissioner refused the Plaintiff to a Certificate.

(5) The cause of action arose on 3rd July 1887.

(6) The Plaintiff prays for — judgment as follows: —

(a) Declaring the Plaintiff right to take water to his land Survey No. 71, from the "Dack" passing thro' the Defendant's land Survey No. 55.

(b) For the recovery of $1,000 as Compensation for loss of Crops in the years 1885-87 owing to Defendant's actions

(c) and for Court Costs.

3. The Defendant, Charles Curtis, the

Affidavit
of
Service
filed
23. V.

C.C. No. 55

of 1887 the following written statement.

(a) There is no "Lake" at all from through the Defendant's land to 55 into the Plaintiff's land,

(b) The Plaintiff has no right to take water through Defendants land.

(c). The Defendant would suffer loss and damage if the Plaintiff should take water from his land.

Filed 8th Sept 93. V.

d) The Defendant did prevent the Plaintiff from taking water through his, Defendant's land as stated in the Plaint.

(e) The Plaintiff did not sustain any loss of Penal by the act of the Defendant

(f) There was no damage to Plaintiff to the extent of Rs. 10. The Plaintiff has no cause of action against the Defendant

Ct. No. 330
of 1887

Defendant.

(g) The suit must be dismissed with costs.

4. The suit came on for the settlement of issues on 1—8—87.

5. The Plaintiff was represented by Sir. Sreenivasa, Pleader.

6. The Defendant was represented by Sir. Rajagopalacharya Row.

7. The following issues were settled:

(1) Whether there is any channel or water flow to Plaintiff's land from the Defendant's land — and is the Plaintiff entitled to get the water through it;

(2) What damage, if any, is due to Plaintiff from the Defendant?

4th Sept. B.V.

8. The suit came on for final hearing on 31st August 1887.

9. The parties were represented as before

10. The Plaintiff

Civil No. 330 of 1887

8

11. The Plaintiff examined the following witnesses.

(1) Hamuwana

(2) Simandika.

12. The Plaintiff put in the following exhibit.

"A." Survey extract - dated 10-1-1887.

13. The Defendant examined the following witnesses.

(1) Hamunjuh

(2) Lachanka

(3) Hamunjuh

See sheet.

B.V. 14. The Defendant filed no exhibit.

Judgment.

15. The Plaintiff seeks to have his right, established, to a channel water and claims also certain damages in consequence of Defendant's obstruction during the past 2 years.

16. The Defendant denies the Plaintiff's right to get the water through his land, and the amount of damage is also said to be excessive.

16. There

C.A. No. 330
Cal. 337

16. There were two issues tried, viz, the 1st relating to the Natural Stream right, and the 2nd relating to the amount of damage.

17. I think the Plaintiff's land might have got water from the Falls, which is very near and lower adjacent to the side of the Plaintiff's land — but not necessarily through the canal in Defendant's land.

18. There is no positive evidence to establish the right claimed.

6th Inst.
B.V.

19. Even the 4th witness for the Plaintiff deposes that the Defendant was once cultivating the Plaintiff's land during the last famine period, that he gave it up after that he was getting the Falls water through the Defendant's land.

20. He admits also that after Defendant left it, the Plaintiff's land was lying Barren, till the present test it about 2 years ago.

21. The

Cl. No. 330
fo. 337

21. He admits also, that from the Kikuyu famine time down to the last famine time, the land of the the Plaintiff was lying waste.

22. In that respect the aforesaid was that portion of Kaumandaa cultivation, there was no water flowing to the land, at all times according to the witness.

23. The 2nd witness is a very old woman and I don't believe her statements much. If she might be believed fully, the Plaintiff has no Right for wards of 40 years past.

7th Sept.
B.V.

24. The Defendants 1st witness says that he once Cultivated the Plaintiff's land for Kaumandaa before the last famine and that he the Plaintiff got the Plaint Ground water by digging with Defendants leave and consent.

25 The

Ex. No. 330
Off. 334

25. The 3rd witness says the stone Exhibits would be to irrigate the Plaintiff's land.

26. There is thus no satisfactory evidence that Plaintiff's land need to get the flood water through the Defendant's land.

27. Evidence of any single person in which Plaintiff's land might have got this water, would not by itself, even if it be true, go to establish the right in question.

28. Even Exhibit A, the annual account filed, does not show that Plaintiff's land need to get the flood water through the Defendant's land which is on the south. All that it is stated there is that Plaintiff's land gets flood water to about (one seventh) of its extent.

29. This might very well be accounted

Ab. No. 55.
4 J. 337

accounted for from the fact that the Falls is running close to the Plaintiff land on the East side.

30. It is stated that not necessary is charged for the Plaintiff that therefore that water must flow to it through the Defendants land, through the Channel that brings the Falls water to the Defendants land. I must respectfully submit that, the Defendants Channel is running about the middle of his land. If the same Channel could issue water to the Plaintiffs land, nearly whole of his Premises ought would be irrigated and it is said by the Plaintiffs Counsel that there could be two crops in a year. If this be so, I cannot understand why one and the same suit of the whole land the

9th Inst.
N.V.

same

Cal. 12-33.
Act 1887

acre of the Maximum quantity should be charged with not assessment and the first with any assessment

31. There is no satisfactory evidence on record, to enable me to find affirmatively that there is this alleged right to flow of water from Defendants land or that Plaintiffs land has been acquired by flow of water for upwards of Statutory period continuously

Pltf's Exh. B.V.

32. The land has been advertised lying Vacant for a number of years, and the Plaintiff who got it last year, under Patent from Government, avails to take advantage of the Channel in which Defendant gets water.

33. I decide the Issue against the Plaintiff and find that there was no Natural water flow to Plaintiffs land from the Defendants

land

O.S. No. 330 of 1887

Land and a Perpetual Injunction as prayed for in the Plaint.

2. The Defendant denies that the Plaintiff is entitled to any water through the Defendant's land.

3 & 4. As to the question of damages and Perpetual Injunction as prayed for in the Plaint, this issue is also found against the Plaintiff.

5. The suit has therefore to be dismissed with Costs.

Signed / M. A. Saravana
Chief Clerk

Decree.

The Suit is dismissed with Costs.

B. Venkataiah
Head Clerk

Date of application 9-1-88
Date when copy was ready 18-1-88
Date of delivery 18-1-88
B. Venkataiah
Number of folios 3
Fee Rs. 1-5-0 Examined 4-8-

Please put up papers
1897
Refers with 2 drafts put up.
SV 1/7

Section L.R
File No 306 of 96
Serial No 2

1896

No. 157.R

Name of Petitioner, Essar Kan

Village, Savanur Taluk

Taluk, Chitaldroog

District, Chitaldroog

Date of Arzi, 7th July 96.

Date of Receipt, 10th July 96.

Date of Disposal,

No. of Enclosure, Nil.

ABSTRACT.

States that he was
[illegible] entitled
[illegible] explain the facts of his
Case in person in the
Cause for hearing
and he therefore begs
[illegible] submit in writing
the following points:—

[illegible] granted
Khatley Lands during
[illegible] 71 [illegible]
[illegible]
was cleared and
was cultivated from the
Channel in 1892-96 on
[illegible] had the
Land for 5 years after the

Survey

and S the respondent [illegible]
in 1880 when it was rated
in Rangoon

2. Had the appellant a
lawful right to
for the said land in 1856-57,
and so held, under the
Respondent, [illegible]
the annual [illegible] water
from the channel running
in his said land, the said
cultivation could not be
carried on — and if therefore
[illegible]

3. Had the appellant a
right to complain
in the said [illegible]
of the appellant, in stopping
by the respondent to wash
the [illegible] water, from
the said channel — and
had the said Daniel
an engineering [illegible] and
submitted a report to the
Deputy Commissioner
in the matter.

4. Had under the circumstances
Rule 10 of the Rules
proceedings of 1879
on the application made
[illegible] the Deputy Commissioner
[illegible] the supply of water to the land
[illegible]

completely refused the
application [illegible]

5. Had the application
accordance with the Deputy
Commissioner's order —
[illegible] in the matter,
and the judgment in it,
in any way affected the prevailing
[illegible] on the Revenue
side — and did the
[illegible]

17. Had the appellant
[illegible]
[illegible] for the last
10 years without [illegible]
the tank — and had the
same time [illegible]
subjected to a corresponding
the Commissioner's [illegible]
the channel might be
[illegible] the appellant keeps the
[illegible]
Rule 55 — and also for the
[illegible] tank to [illegible]
with the [illegible] for
10 years [illegible]

Bue · Pili Bu. III 10/7/96

Refer As. 157

MYSORE DEWAN'S OFFICE 157
PETITION DEPARTMENT
REGD. NO 157 PC
DATE 11-7-96

[illegible]

[illegible] 2549 [illegible] 1884 [illegible]

[illegible] | [illegible]

[illegible]

(I) [illegible] 24 [illegible] 2-8-0 [illegible] 1880 [illegible]

II [illegible]

III [illegible]

ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗ

ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗ, ಕೆ.ಪಿ.ಎಸ್.ಸಿ. ಕಟ್ಟಡ, ಗಾಂಧಿನಗರ, ಬೆಂಗಳೂರು-೫೬೦೦೦೯

ಸಂಖ್ಯೆ: ಕ.ಲೋ.ಸೇ.ಆ./ಪರೀಕ್ಷೆ-೨/೨೦೨೩-೨೪/೧೧೮೪೭ ದಿನಾಂಕ: ೧೪.೦೩.೨೦೨೪

ಪ್ರಕಟಣೆ

ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗವು ಕರ್ನಾಟಕ ಆಡಳಿತ ಸೇವೆ, ಕರ್ನಾಟಕ ಆಡಳಿತ ಅಧೀನ ಸೇವೆ ಮತ್ತು ಇತರೆ ಸಂಯೋಜಿತ ಸೇವೆಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಮುಖ್ಯ ಪರೀಕ್ಷೆಯನ್ನು ಈ ಕೆಳಕಂಡ ವೇಳಾಪಟ್ಟಿಯಂತೆ ನಡೆಸಲು ನಿರ್ಧರಿಸಿದೆ.

ಕ್ರ.ಸಂ.	ಪರೀಕ್ಷೆಯ ಹೆಸರು	ದಿನಾಂಕ	ಸಮಯ
೧	ಕನ್ನಡ ಭಾಷಾ ಪರೀಕ್ಷೆ	೨೨.೦೪.೨೦೨೪	೧೦.೦೦ ರಿಂದ ೧೩.೦೦
೨	ಸಾಮಾನ್ಯ ಅಧ್ಯಯನ ಪತ್ರಿಕೆ-೧	೨೩.೦೪.೨೦೨೪	೧೦.೦೦ ರಿಂದ ೧೩.೦೦
೩	ಸಾಮಾನ್ಯ ಅಧ್ಯಯನ ಪತ್ರಿಕೆ-೨	೨೪.೦೪.೨೦೨೪	೧೦.೦೦ ರಿಂದ ೧೩.೦೦
೪	ಸಾಮಾನ್ಯ ಅಧ್ಯಯನ ಪತ್ರಿಕೆ-೩	೨೫.೦೪.೨೦೨೪	೧೦.೦೦ ರಿಂದ ೧೩.೦೦
೫	ಸಾಮಾನ್ಯ ಅಧ್ಯಯನ ಪತ್ರಿಕೆ-೪	೨೬.೦೪.೨೦೨೪	೧೦.೦೦ ರಿಂದ ೧೩.೦೦

೧. ಪರೀಕ್ಷಾ ಕೇಂದ್ರಗಳ ವಿವರವನ್ನು ಪ್ರವೇಶ ಪತ್ರದಲ್ಲಿ ಮುದ್ರಿಸಲಾಗುವುದು.

೨. ಅಭ್ಯರ್ಥಿಗಳು ಪರೀಕ್ಷಾ ಕೇಂದ್ರಕ್ಕೆ ಕನಿಷ್ಠ ೩೦ ನಿಮಿಷಗಳ ಮುಂಚಿತವಾಗಿ ಹಾಜರಿರಬೇಕು.

೩. ಪರೀಕ್ಷಾ ಕೇಂದ್ರದೊಳಗೆ ಮೊಬೈಲ್ ಫೋನ್, ಕ್ಯಾಲ್ಕುಲೇಟರ್ ಅಥವಾ ಯಾವುದೇ ಎಲೆಕ್ಟ್ರಾನಿಕ್ ಸಾಧನಗಳನ್ನು ತರಕೂಡದು.

೪. ಪರೀಕ್ಷೆಯ ಯಾವುದೇ ಹಂತದಲ್ಲಿ ಅಭ್ಯರ್ಥಿಯ ಗುರುತು ಪತ್ತೆಯಾದಲ್ಲಿ ಅವರ ಉಮೇದುವಾರಿಕೆಯನ್ನು ರದ್ದುಪಡಿಸಲಾಗುವುದು.

೫. ಹೆಚ್ಚಿನ ಮಾಹಿತಿಗಾಗಿ ಆಯೋಗದ ಸಹಾಯವಾಣಿ ೦೮೦-೨೨೨೩೩೪೪೪ ಅನ್ನು ಸಂಪರ್ಕಿಸಬಹುದು.

ಕಾರ್ಯದರ್ಶಿ
ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗ

Section L.R.
File No 306 of 96.
Serial No 3.

L Draft

189

From

The Secretary to the
Government of Mysore.

To

The District and Sessions
Judge, Nagar Division
Shimoga.

Dated 15/1/96
Despatched 15
Received
General No. 539
Pol No. 105
Enclosure No.

Has the honour to request
that the Sutore Record in C.S. No 330
of 1887 on the file of the
Munsiff of Chikkaluru may
be forwarded to this office
at an early date, for reference
in connection with petitions
presented by Kanya and Baliga
~~[illegible]~~ pending
before Government.

By Order

Draft 15/1
for Secretary

Cr

15/1

Appan Kanya & Ratnaraja.
Agent all [illegible]

Subd.

Mais tout le
chef-lieu a confié
exécuter - Mais les
agents - travaux publics
étaient sous la direction
d'un agent - de cette
Compagnie -

Le

Section L.R
File No 306 of 96
Serial No 4

1 Draft

Gen. 31]

189

From

To

The Superintendent
Mysore Rev. Survey

Dated 4/7/96

Despatched 18

Received

General No. 540 ✓
Pet No. 106

Enclosure No.

Has the honour to request
an extract from
that the Inscription relating
to Survey No 55 of Kasaratahalli
attached to Siddaramahalli
Chitaldrug District, may be
forwarded to this office
as early as practicable,
for reference in connection
with the petition of Ranga
pending before Govt.

By Order

Draft

C2

For Secretary

4/7 1896

(General Serial No. 30)

1896

OFFICE OF THE
7.3.
24. JUL. 1896
DEPUTY COMMISSIONER.

GENERAL DEPARTMENT
OFFICE.

Section L.R.
File No 306 & 96
Serial No 5

From The District Judge
Nagar Division 633
Pet 64 24 JUL 96

To The Secretary to
Govt of Mysore
Genl Revenue Departments

Dated 21st
Despatched 22? July 1896.
Received

Enclosures No. Record sent in a sepate packet

General No. 27
No.

His No 589/105 dated 15th July 1896.

As requested in the above has the honor to forward herewith the record in O.S. No 330 of 1887 on the file of the Munsiff of Chitaldrug Uppa Kariya Puttiraya

District Judge
Nagar

J. Rao
24.7.96

Sent with refers
31/7

Refer to Pet No

This was called for by the Petn No and may be transferred there
31/7 Ans 28/7/96

Central Jail Press, Bangalore.—1-9-95.—5,652.

Gen. 31.]

189.

REVENUE DEPARTMENT
61 No. 631
Pet. 48
25 JUL. 96
DEWAN'S OFFICE.

Section L.R
File No 306 E-96
Serial No 6

From The Asst. Supt. in charge
Nigiri Rly. Survey Office

To The Secretary to the
Govt. of Mysore
Revenue & Rly. Dept.

Dated 23rd July 1896
Despatched Bangalore
Received

General No. 31
No.

Enclosure No.

Subject Re: Extn. of the N.E. Section to Kadur to the Supt. Rly. Survey.

Sir,

I have the honor to forward in compliance with instructions received from the Supt. Rly. Survey, an extract from the Census book, showing the source of irrigation of Survey No. 55 of Hajige Kasaimahalli of Kibdavan=halli village of the Chital=droog Taluk.

I have &c.

Asst. Supt. Rly. Survey.

Peta
28.7.96.

Section LR
File No 306 of 97
Serial No 7

No 4732
Pet 765

5 Petns.
1 Agreement
1 Sketch
1 V-bill

Read letter from the 2nd Commr
Chitaldroog District No 313/316
dated 11th Jan 1883 submitting
Vernacular Proceedings
in connection with the
Petition of Ispar Kariya
of Siddaramballi in the
Chitaldroog Taluk

Order thereon

The Petitioner Ispar Kariya obtained land bearing Survey Number 71 in the Village of Siddaramballi Chitaldroog Taluk, under Kabul in the year 1836-37. Soon afterwards he complained to the Amildar of the Taluk of obstruction to the water course running into his land through the adjoining Survey Number 55 owned by Puttaiah owner of the latter. In the correspondence that ensued, the 2nd Commr ordered

defn land, (NW 55.),
it is stated that the
water of the well therein
referred to does not go
beyond that land,
whereas nothing is said
about the channel
water; the obvious
inference is that it
was going beyond.

3. The entire record
on the subject will
accordingly be returned
to the Registrar who
is requested to arrange
for a further inspection
of the land in question
and to submit a
detailed report on the points raised
above

Draft ltr. attd.
BBL
28/11/96

27/11/96
For Secy
BBL.

2
Mr Registrar
Calcutta

Returning the enclosed Plan in the case
of Father of the late

evidence. Then again the Plaintiffs seem to base their argument on the fact that if water is taken through the disputed channel the whole amount of the portion only of the Plaintiffs land would be irrigated by it. He considers that because only a portion is classed as irrigable the water of the Halla close by was taken directly to it. The correctness of these observations should be tested by an Assistant Commissioner of experience on the deputy Commissioner himself and the result of his inspection reported. It is also significant that in the Asare Putti of the defts

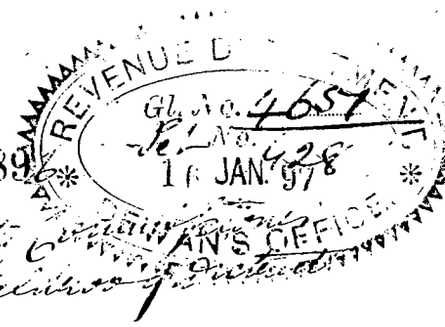
ordered that Petr should establish his right to the water-course in a Civil Court. ~~The Munsiff of Chittaldrug before whom Petr not filed his case~~ In original Suit No 330 of 1887 / decided that Petr was not entitled to any water through the land of the defendant Puttaiah. The Petr has therefore appealed hereto.

filed by Petr; the Munsiff of Chitaldrug

2 In this case, the Agent observes that the Munsiff does not support the Amildar's statement that he saw any traces of a channel in the defdt's land for taking water into that of the Petitioner. This, if it is an omission on his part is an important one, as, otherwise the circumstance would furnish good circumstantial evidence.

765

Gen. Serial No. 30.]



189

From The Joint Commissioner Chitaldroog

Section F.R.
File No 306 of 96
Serial No 8
To

To

The ~~Chief~~ Secretary to the Government of ~~Dewan~~ Mysore.

Dated 7th December 97.

Despatched

Received

Enclosures No. Memo & files.

General No. 465
No. 430

In reply to

SUBJECT.

Submitting a report together with a Memo. thereon by the Chief Commissioner in regard to a dispute between the heirs of Sir Seshadri Iyer about an irrigation channel & the assessment thereon.

Submitted with reference to the Revenue Councillor's order of 9.11.96.

24/1/97

The Dy Comr agrees with Asst Comr in thinking that the best solution of the difficulty the best solution of the difficulty regarding the water supply of S No 71 belonging to Sri Ty Sastry is to remit the assessment on the crop land. This would involve a reduction of assessment on Rs 24 granted now and renewed yearly.

The 2nd Councillor

22/1

Recd 6.2.97

22/1/97

We regret that the Asst Comr does not clearly that S No 71 on the Eastern side has no channel to irrigate its land. The channel drawn from S No 53 & across S No 55 but the Asst Comr & the Dy Comr states that if this right is enforced S No 55 & 71 suffer & the order may lead to constant friction & quarrels - They

Recd 19/1 Letter to Asst Comr 24/1

References (to be entered only in the Dewan's Office.)

Pattan Razak
15/1/97

recommend that
the web version in 71
maybe changed into
one - I ~~cannot~~ don't see
any way to sanction
this proposal in
the middle of the
currency system
changeover.
Before however
formal orders are
framed the Faison
of the two systems
can may be
solicited. The
Members will
be notified.

23/1/97

25/1/97

1. Draft letter to Treasury

Sent

25/1

No 6855
P.1208 '98.

(with Encls as per margin)

Section	R.R
File No	3068-96
Serial No	9

The Registry returned when no longer required

The Registrar
of Companies
Bangalore dated

Sir,

In forwarding ~~for favour of perusal~~ herewith an original ~~petition~~, letter No 405 dated 9th Aug 96, from the Deputy Commissioner of Chittaldrug, district, I have the honor to state that I have inspected the ~~accused~~ Channel Channakeshava Channel Survey No 71 & the portion of it claimed as wet, & I recommend for it enfranchisement as a channel drawn from No 55, but the Assistant Commissioner with whom the Deputy Commissioner concurs states that, for the reasons

is enforced, both 55
and 71 Chapters, and the
Orders have to lead to
Consultation friction
and grievance - and
they ~~have~~ have therefore
~~recommended~~ recommended that the
Rule should be
71, hereby changed
into Dry. The Hospital
Committee sanctioned
in the Middle of the
Cessation of the Survey
operations. Consequently,
the matter correspondence
is kindly with draw[n] for
favour of Your Kind
opinion in the matter.

The Name, Designation
Father's Name, Address,
are to be mentioned when
~~under~~ the Applicant Lawyer
is required.

Thanking

Yours faithfully

Secretary

Dear Sir

Yours faithfully

Secretary

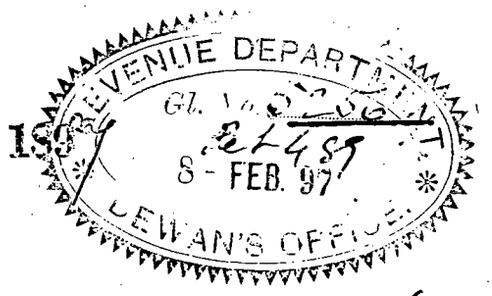
* 1 Memo.
1 Petn: No: 144 of 96-97
with 12
1. Petn: No: 157 of do
+ V. file
1 Sketch.
1 Record in O.S. No: 330
of 1887 on the file of
the Munsif of Chittoor

Return Road

8/2

4/2

Gen. 31.]



Section R.R

File No 3066-96

Serial No 10

From

The Supdt Mysore Red Survey

To

The Secretary to the Government of Mysore

Bangalore

Dated 6th February 1897

Despatched

Received

General No. 542

No.

Enclosure No.

Secretary's letter No 6355 dated 28th January 1897

R 1208

Has the honor to state that no original letter No. 468/430 dated 9th December 1896 from the Deputy Commr. Chitaldroog District referred to has been received

Board writ. reply

Jan 29/2

send with draft docket

forwarding

JE 9/2/97

Bnk - It is not creditable to the Clerk (concerned) (T. Krishna Rao & T. Ramachandra) 9/2/1897

M 10/2/97

received as an accompaniment

to the above and to request

that the same may kindly be

transmitted to this Office for

reference at an early date.

H. Hunt

Supt. Mysore Red.

Survey

1897

Section L.R
File No 30696
Serial No 11

From

The Secretary
to Govt

To

The ~~Dy Conservator~~
Sandal, Mysore Res.
Survey —

Dated 9th
Despatched 13 Feb/97
Received
General No. 7197
P. No. 1302

Enclosures No. are

his docket No 542
dated 6th February 1897.

I have the honor to for-
ward herewith the original letter
No 468/430 dated 9th December 96
from the Dy. Conservator Chitaldrug
&c, in originals, referred
to in the above —

By order

for Secretary

9/2/97

1302

Section LR

File No 366 of 96

Serial No 12

REVENUE DEPARTMENT
Cl. No. 3503
1897 Ref. 544
9 - MAR 97
THE SUPERINTENDENT'S OFFICE

From The Superintendent
Mysore Revenue Survey.

To The Secretary to the Government of Bombay

Dated 5th March 1897

Despatched

Received

General No. 595
No.

Enclosure No. 2 before this

Secretary's letter No. 6355 / 1203
dated 23rd January 1897

Has the honour to report that as the Talla Kamal supply to Survey for 1896 is stated to be unavailable, the undersigned has caused a number of passes to be issued as under Tarri will

Put with papers
11/3.

Send
4/3/97

Write as head. precis of the correspondence
12/3/97

Submit with reference to the Council's order on the Chitaldrug Revenue letter No. 468/430 dated 9-12-96 with a precis
(Check precis with papers)
16/3/97

Submd to 2nd Councillor with precis
Contents & a draft order

Note

will now be closed as day, the
Pattadar no longer of course having
any right to the channel subsidy
at any time.

2. Enq. & Circular correspondence
received with the above is herewith
returned.

Supdt. Ellyore Rail
Survey

No. 405 Rec. 1 Memo 2 files.
430

Deputy Commissioner's Office
Chikballapur District
Dated, Chikballapur, the 4th December 1916.

To

The Secretary to the
Government of Mysore
General and Revenue Departments
Bangalore.

Sir,

With reference to Circular Memo of Government No. 4732 Ferm 765 dated 24th ultimo regarding a dispute between the Patel of Vidalavanahalli Chikballapur Taluk, about an irrigation channel stated to be running through Survey No: 55 of that village, I have the honor to forward a Memorandum drawn up by the Revenue Inspector, Special Assistant Commissioner, after personally inspecting the spot.

2. I beg to state that the Memo furnishes all the information required by Government, and leaves nothing to be added

by me. I concur with the
Applicant Commissioner in considering
that the best solution of the matter
will be to treat the whole of
survey No: 71 as dry crop land.
3. The Revenue papers are
herewith respectfully transmitted.

I have the honorable,
Sir,
Your most obedient servant,

Assistant
Deputy Commissioner
Chitradurga district

Govt. Proceedings No. 4732/P. 765-
of the 24th November 1896.

I have made a careful inspection of the fields in question with the Amildar, N.S. Ramaswamiah. The petitioner Uppar Kariah was present. Puttaraiah is dead and in the subsequent division of property field No. 55 has fallen to the share of his nephew Singapah who lives in Sajankere. I could not secure his attendance as he was reported to have gone to Hosdurg. He has sublet the field to Waram & Dazan Bhramar & 2 others.

× Vide accompanying sketch taken from the records in the case.
AK

these three were present
attending & their own work
in the field and evinced no
sort of interest one way or
the other in the matter under
enquiry.

2. The deceased Puttaraah
has himself admitted the
existence of a channel in
his field right up & that
of the petitioner. This admission
was made more than 8 years
back in his petition of January
/88, altho' he gives his own
explanation of how the channel
came & is there. I see distinct
traces of the channel up &

within 43 ft. of the northern boundary of No. 55 and then enters a cart track about 19 ft. wide running in petitioners field No. 71. after crossing the cart track the trace of the channel re-appears for a length of about 75 ft. in No. 71 and there it ends.

3. There is an old bank in No. 71 & the east of the latter bit of the channel & it does not appear to have served the purpose of irrigation at any time.

4. The bund & the south

of No. 71 could never have irrigated the field as the bank nearest it would have to be revetted with stones & a height of 12 or 15 ft. & admit of a "Kapia" being set up. and this has never been done.

5. These circumstances lead to the inevitable inference that the a.1. G.2 k claimed as set in field No. 71 depended for its irrigation on the channel passing thro field No. 55 from a "Jalhariya" higher up.

6. This Jalhariya is a small hole in the bed of the nullah

which runs dry unless
frequently replenished by
the rains. The precarious
nature of this water supply
accounts for the existence
of a Kapile tank in No 55
which is worked by two
Kapilas, one irrigating
the higher portion of the field
classed as dry, while the
other waters the lower
portion classed as Bagayat
and commanded by the
channel from the tank.
The Warana cultivators of the
field aver that this year

the channel supplied water
for only one B&C, the rest of the
irrigation being done from
the Kapileshwar. Last year
when there was no complaint
of deficiency of rain, Dasar
Bhanna, one of the Elumdars
referred to, says that the channel
water sufficed for only two
B&Cs or watering twice, the
deficiency being as usual
made good from the Kapileshwar
and in both the years the
crop raised was Nateraje.

The water supply from the
Mullah channel being thus

× Ragi crop requires 12 waterings in 3 months

shown the insufficient
for the Bagagat portion of
W. 55 it was I venture to
think a mistake therefore
classed as 1. G 24 of W. 71
as irrigable from the
same source. The latter
field is stated therefore in
waste both during the
measurement & the classi-
-fication. That the field is
lacking in facilities for irri-
-gation is proved by each
-cessive occupant having
had to resign it. After its
resignation by Nadiya appeal
in Akshyah (1866/67) it lay

waste for 8 years upto Sri-
-mukhah (1873/74) and
again for 7 years after reading
Kommapah resigned it in
Pramah (1879/80). From the
latter's evidence recorded in
1887 by W. Ramanaiyar
a former Amildar it would
appear that he was only able
& raise two wet crops in
the field during his occupancy
of 5 years the first years
irrigation from the channel
in question being with the
consent of the then recog-
-nised owner N. 55, and the

second years in spite of the latters opposition which resulted in a said threat criminal charge being brought against him in the Police Court. I allude Talbot Mag- to these facts to show that the supply of water to field No. 91 from the channel in question was never an easy matter. It must also be remarked that this field is on a somewhat higher level than the Bagagh portion of No. 55 through which the channel passes.

The latter bracket is assessed at Rs. 2/12 per acre, while the wet rate for No. 71 is only Re. 1/9.

8. If the petitioners' right to irrigation from the channel be upheld it would lead to endless disputes and both parties would suffer from the utter inadequacy of the water supply. The best way out of the difficulty would be, I submit, to strike off the wet assessment on A.I.S. No. 71 and class the entire number as dry. A good

GOVERNMENT RECORD

portion of the field is used
a jali tope, and the greater
portion of the remainder
is reserved for pasture.

Ridawadh
6.12.96

H Ramdungdungan
Sd. Asst Comm

Section L.R
File No 306 of 96.
Serial No 13

Proceedings of the Govt of Mysore

Read:—

(1) Petition No 254 dated 2nd December 1887 from Uppara Kariya of Kammanahalli Chikkadrug Taluk, appealing against the order of the Deputy Commr. Chitaldrug District referring him to the Civil Courts for establishing his claim to irrigate the wet portion of his land Survey No 71 by a channel passing through Survey No 33 belonging to one Puttaraiya.

(2) Records of the case received with docket No $\frac{343}{316}$ dated 11th January 1888 from the Deputy Commissioner, Chitaldrug District.

(3) Reports of O.S. No 330 of 1887 (Uppara Kariya ~~of~~ Puttaraiya)

on the file of the Transiff of
Chitaldrug, regarding the
same right of irrigation, received
with docket No 27 dated 2nd
July 1896 from the District
Judge, Nagar Division.
(4) Letter No 468/430 dated 9th
December 96 from the Deputy
Comm^r, Chitaldrug District,
submitting, with reference to
Govt Proc No 4732/Rev 765 dated
24th November 96, a memorandum
drawn up after personal inspection
by the General Assistant Com-
missioner of Mysore, to the
effect that there 24 tanks
classed as tel in Survey No 7
depended for its irrigation
on the channel passing
through Survey No 55, but
that if the Petitioners right
right be upheld, it would
lead to endless disputes and
both the parties would suffer
from

from the latter immediately of water supply, and that the best way out of the difficulty would be to strike off the Settlement on 1 acre 24 perches of No 71 and to class the entire remainder as dry; and stating that he concurs with the Assistant Commr, in considering the above proposal to be the best solution of the matter.

(5) Docket No 375 dated 5th March 1897, from the Superintendent, Singore Revenue Survey, reporting, with reference to the Secretary's letter No 6855 P. 1205 dated 28th January 97, that as the Walla channel supply to Survey No 71 is stated to be unavailable, the portion of the number classed as bet will now be classed as dry, the Patadar to

longer having any right to the channel supply.

— n — P.

Order thereon to $\frac{8520-21}{P. 1445}$ of 26-3-97

Enclose Ver: file.

The one acre and twenty four guntas now classed as wet out of Survey No 71 will be charged with dry assessment with effect from the year 1886-87 when (he obtained the land in auction, the Petitioner was prevented from using the water for wet cultivation.) ~~from~~ in which the Petitioner could not raise any wet crop fit for want of w. supply. The wet assessment minus the proportionate dry assessment for these years will be refunded to the Petitioner, if the same has been received from him. The order cour was entangling in the Pet. was refer to civil court. He ought to have decided the dispute regarding irrigation in accordance with revenue rules.

25/3/97 [illegible]

Draft

Spec 4

26.3.97

Secretary

(1531) 22/3/97

To

The Deputy Commr

Sir Chitaldroog District with records (1463 of 97) & Survey Supt

Section	L.R.
File No	3068-96
Serial No	14

1886-87 [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] 9-4-87 [illegible].

By Order

[illegible]

Asst Secretary

Draft

B.L. 9/4